

12 B

DATE May 22, 2006

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR ZOOPLEX STORM SEWER IMPROVEMENTS, SHEETS EXCAVATING, LTD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Zooplex Storm Sewer Improvements, 11-2005-019, in accordance with the contract approved between Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA 50171-3760, under Roll Call No. 05-2507, of October 10, 2005, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

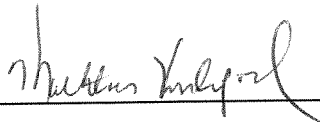
BE IT FURTHER RESOLVED: That \$24,882.00 is the total cost, of which \$23,343.40 has been paid the Contractor, and \$294.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,244.10 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

BE IT FURTHER RESOLVED: That the Assistant City Manager/Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

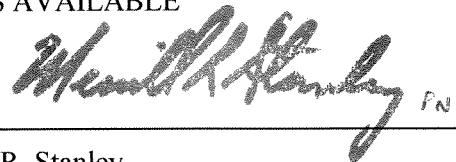
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Merrill R. Stanley
Assistant City Manager/Finance

Funding Source: 2006-2007 CIP, Page Park-2, Blank Park Zoo Improvements, PKS013, G. O. Bonds

★ **Roll Call Number**

Agenda Item Number

12 B

DATE May 22, 2006

DRB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

12B

May 22, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Zooplex Storm Sewer Improvements, Sheets Excavating, Ltd..

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: \$24,882.00 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Park-2, Blank Park Zoo Improvements, PKS013, G. O. Bonds

CERTIFICATION OF COMPLETION:

On October 10, 2005, under Roll Call No. 05-2507, the City Council awarded a contract to Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA 50171-3760 for the construction of the following improvement:

Zooplex Storm Sewer Improvements, 11-2005-019

Constructing storm sewer intakes, PC concrete drainage flume, PVC storm sewer, localized grading, and other incidental items; in accordance with the contract documents, including Plans File Nos. 458-049/052, at Blank Park Zoo, 7401 SW 9th Street, Des Moines, Iowa

I hereby certify that the construction of said Zooplex Storm Sewer Improvements, Activity ID 11-2005-019, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on October 24, 2005, and was completed on May 15, 2006.



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

12 B

I further certify that \$24,882.00 is the total cost of said improvement, of which \$23,343.40 has been paid the Contractor and \$294.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,244.10 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.



Jeb E. Brewer, P.E.
Des Moines City Engineer